

FILED

June 13, 2023

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASBY: JM
DEPUTYPROB 12C
(7/93)**UNITED STATES DISTRICT COURT**

for

WESTERN DISTRICT OF TEXAS**Petition for Warrant or Summons for Offender Under Supervision**Name of Offender: Marcelino Valencia-Ramirez Case Number: DR-22-CR-00083(1)Name of Sentencing Judicial Officer: Honorable Jay C. Zainey, United States District JudgeDate of Original Sentence: June 28, 2022Original Offense: Illegal Re-Entry into the United States, 8 U.S.C. § 1326Original Sentence: Twelve (12) months and one (1) day imprisonment, followed by 1 year supervised releaseType of Supervision: Supervised Release Date Supervision Commenced: October 25, 2022Assistant U.S. Attorney: Alexander Eugene Brown Defense Attorney: Jack R. Stern (CJA)**PREVIOUS COURT ACTION**

None.

PETITIONING THE COURT☒ The issuance of a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1. **Mandatory Condition No. 1: The defendant shall not commit another federal, state, or local crime during the term of supervision.**

Standard Condition No. 17: If the defendant is excluded, deported, or removed upon release on probation or supervised release, the term of supervision shall be a non-reporting term of probation or supervised release. The defendant shall not illegally re-enter the United States. If the defendant is released from confinement or not deported, or lawfully re-enters the United States during the term of probation or supervised release, the defendant shall immediately report in person to the nearest U.S. Probation Office, or as ordered by the Court.

Marcelino Valencia-Ramirez
 DR-22-CR-00083(1)
 Petition for Warrant or Summons for Offender Under Supervision

On or about May 5, 2023, the offender, an alien and citizen of Honduras, was found in the United States having been previously denied admission, excluded, deported, or removed from the United States, on or about December 16, 2022, and the offender had not received the consent of the Attorney General of the United States, or the Secretary of the Department of Homeland Security, the successor for this function pursuant to 6 U.S.C. §§ 202(3), 202(4), & 557, to reapply for admission, being voluntarily in the United States in violation of 8 U.S.C. § 1326(a) & (b).

On or about May 5, 2023, the offender was encountered and arrested by United States Border Patrol agents, near Brackettville, Texas. It was subsequently determined that the offender was a previously deported illegal alien from Honduras. At the time of filing this petition, the offender had not been indicted on new charges for Illegal Re-entry into the United States; however, this arrest is pending under United States Magistrate Docket Number 2:23-mj-01464, in the Western District of Texas – Del Rio Division. The offender remains in federal custody.

U.S. Probation Officer Recommendation:

The term of supervision should be

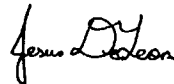
- ☒ revoked. (Maximum penalty: 2 years imprisonment; 3 years supervised release; and payment of any unsatisfied monetary sanction previously imposed)
- ☐ extended for _____ years for a total term of _____ years
- ☐ The conditions of supervision should be modified as follows:

Approved:



Adaly Mares
 Supervising U.S. Probation Officer

Respectfully Submitted,



Jesus A. De Leon
 Senior U.S. Probation Officer
 May 31, 2023
 Telephone #: 830-308-6365

Approved:



James T. Ward
 Supervisory Assistant U.S. Attorney

cc: Andrew J. Gonzales
 Assistant Deputy Chief U.S. Probation Officer

Marcelino Valencia-Ramirez
DR-22-CR-00083(1)
Petition for Warrant or Summons for Offender Under Supervision

THE COURT ORDERS:

- ☐ No action.
- ☒ The issuance of a WARRANT. Bond is set in the amount of \$ DETAIN cash/surety with supervision by the United States Probation Office to continue as a condition of release.
- ☐ The issuance of a SUMMONS.
- ☐ Other _____
-



Honorable Jay C. Zainey
United States District Judge

June 12, 2023

Date